

3026CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In re application of:
PFLUEGER

Serial No. 10/667,768

Filed: September 22, 2003

For: MICRO-INVASIVE BREAST BIOPSY
DEVICE

) Group Art Unit: 3736

) Examiner: Unknown

I hereby certify that this correspondence is being
deposited with the United States Postal Service
with sufficient postage as first class mail in an
envelope addressed to: Commissioner for Patents,
PO Box 1450, Alexandria, VA 22313-1450, on or before

Title

Date

January 26, 2004
Frank J. Uxa
Atty
1/26/04

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant wishes to call to the attention of the Examiner the documents cited on the accompanying Form PTO-1449. No concession is made that these documents are prior art, and applicant expressly reserves the right to antedate the documents as may be appropriate. Applicant requests that each of these documents be made of record in the above-identified application.

Each of these documents was cited in related (parent) application Serial No. 10/093,765 filed March 8, 2002. Therefore, no copies of these documents are submitted herewith.

Respectfully submitted,

Frank J. Uxa

Frank J. Uxa
Attorney for Applicant
Reg. No. 25,612
4 Venture, Suite 300
Irvine, CA 92618
(949) 450-1750
Facsimile (949) 450-1764

FJUxa/ac



Form PTO-143

**PATENT INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**
(Use several sheets if necessary)

DOCKET NO: D-3026 CON

APPLN. NO.: 10/667,768

APPLICANT: PSlueger

FILING DATE: 9/22/03

GROUP ART: 3736

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE
	5	0	7	4	8	4	1	12/91	ADEMOVIC ET AL.			
	5	0	8	5	2	2	3	2/92	LARS ET AL.			
	5	1	1	3	8	6	8	5/92	WISE ET AL.			
	5	1	9	5	3	7	5	3/93	TENERZ ET AL.			
	5	2	0	7	1	0	2	5/93	TAKAHASHI ET AL.			
	5	2	2	6	4	2	3	7/93	TENERZ ET AL.			
	5	2	6	9	7	8	5	12/93	BONUTTI			
	5	2	9	0	3	0	3	3/94	PINGLETON ET AL.			
	5	3	1	3	9	5	7	5/94	LITTLE			
	5	3	2	0	6	2	7	6/94	SORENSEN ET AL.			
	5	3	7	3	8	5	2	12/94	HARRISON ET AL.			

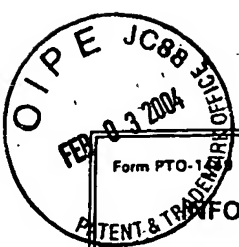
FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO

OTHER DOCUMENTS

EXAMINER	DATE CONSIDERED:
----------	------------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



Sheet 2 of 15

Form PTO-148

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

DOCKET NO: D-3026 CON

APPLN. NO.: 10/667,768

APPLICANT: Pflueger

FILING DATE: 9/22/03

GROUP ART: 3736

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER								DATE	NAME	CLASS	SUBCLASS	RULING DATE
	R	E	3	3	2	5	8		7/90	ONIK ET AL.			
	1	4	9	3	2	4	0		5/24	F.J. BOHN			
	2	5	3	2	3	7	0		12/50	H.K. PERRILL			
	3	3	0	8	8	2	8		3/67	C.C. PIPPIN			
	3	5	5	0	5	8	3		12/70	CHIKU			
	3	5	5	3	6	2	5		1/71	C.K. STEDMAN			
	3	5	9	0	8	0	8		7/71	MULLER			
	3	7	1	0	7	8	1		1/73	HUTCHINS IV ET AL.			
	3	9	3	8	3	7	9		2/76	BINGHAM			
	4	0	2	3	5	6	2		5/77	HYNECEK ET AL.			
	4	1	6	7	9	4	4		9/79	BANKO			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER									COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO

OTHER DOCUMENTS

EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to the applicant.



Sheet 4 of 15

Form PTO-822
PATENT EXAMINERINFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

DOCKET NO: D-3026 CON

APPLN. NO.: 10/667,768

APPLICANT: Pfueger

FILING DATE: 9/22/03

GROUP ART: 3736

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE
	5	3	8	3	8	8	4	1/95	SUMMERS			
	5	4	1	2	9	9	4	5/95	COOK ET AL.			
	5	4	3	3	2	1	6	7/95	SUGRUE ET AL.			
	5	4	5	0	8	5	3	9/95	HASTINGS ET AL.			
	5	4	7	4	0	8	6	12/95	MCCORMICK ET AL.			
	5	5	2	6	8	2	2	6/96	BURBANK ET AL.			
	5	5	6	9	2	8	4	10/96	YOUNG ET AL.			
	5	6	1	8	2	9	6	4/97	SORENSEN ET AL.			
	5	6	2	8	7	4	8	5/97	VICARI			
	5	6	3	7	0	7	6	6/97	HAZARD ET AL.			
	5	6	6	2	1	2	2	9/97	EVANS			

FOREIGN PATENT DOCUMENTS

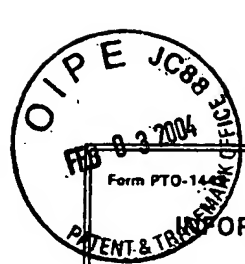
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO

OTHER DOCUMENTS

EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to the applicant.



Form PTO-14

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION
(Use several sheets if necessary)

DOCKET NO: D-3026CON	APPLN. NO.: 10/667,768
APPLICANT: Pflueger	
FILING DATE: 9/22/03	GROUP ART: 3736

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE
	5	6	8	5	8	4	0	11/97	SCHECHTER ET AL.			
	5	6	9	3	0	1	1	12/97	ONIK			
	5	6	9	4	9	4	6	12/97	TENERZ ET AL.			
	5	7	1	5	8	2	7	2/98	CORL ET AL.			
	5	7	4	1	2	8	7	4/98	ALDEN ET AL.			
	5	7	6	2	0	7	3	6/98	CHOY			
	5	7	6	6	1	9	4	6/98	SMITH			
	5	7	7	2	6	2	7	6/98	ACOSTA ET AL.			
	5	8	0	7	2	6	5	9/98	ITOIGAWA			
	5	8	3	6	8	8	6	11/98	ITOIGAWA			
	5	8	5	7	9	9	5	1/99	THOMAS ET AL.			

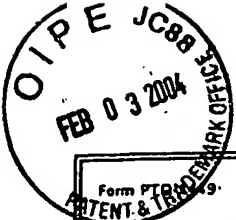
FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO

OTHER DOCUMENTS

EXAMINER	DATE CONSIDERED:
----------	------------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



Form PTO-9
PATENT & TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION
(Use several sheets if necessary)

DOCKET NO: D-3026 CON	APPLN. NO.: 10/667,768
APPLICANT: Pflueger	
FILING DATE: 9/22/03	GROUP ART: 3736

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER								DATE	NAME	CLASS	SUBCLASS	RULING DATE
	5	9	0	2	2	4	8		5/99	MILLAR ET AL.			
	5	9	1	6	1	7	5		6/99	BAUER			
	5	9	2	5	0	5	6		7/99	THOMAS ET AL.			
	5	9	3	5	1	3	1		8/99	BONUTTI			
	5	9	6	8	0	6	2		10/99	THOMAS ET AL.			
	5	9	7	6	1	0	5		11/99	MARCOVE ET AL.			
	5	9	7	6	1	6	4		11/99	BENCINI ET AL.			
	6	0	0	0	3	9	9		12/99	CHOY			
	6	0	0	1	1	1	2		12/99	TAYLOR			
	6	0	1	7	3	1	6		1/00	RICHART ET AL.			
	6	0	1	9	7	2	8		2/00	IWATA ET AL.			

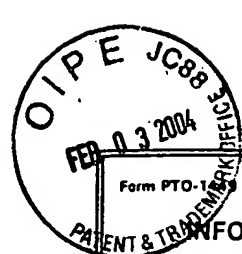
FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER									COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO

OTHER DOCUMENTS

EXAMINER	DATE CONSIDERED:
----------	------------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to the applicant.



Sheet 7 of 15

Form PTO-151

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

DOCKET NO: D-3026 CON

APPLN. NO.: 10/667,768

APPLICANT: Pflueger

FILING DATE: 9/22/03

GROUP ART: 3736

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER								DATE	NAME	CLASS	SUBCLASS	RULING DATE
	6	0	1	9	7	2	9		2/00	ITOIGAWA ET AL.			
	6	0	6	6	1	5	3		5/00	LEV			
	6	0	7	7	2	3	0		6/00	GREGOIRE ET AL.			
	6	0	8	3	1	7	9		7/00	OREDSSON			
	6	1	2	0	4	5	7		9/00	COOMBES ET AL.			
	6	1	4	2	9	5	5		11/00	FARASCIONI ET AL.			
	6	1	5	6	0	4	6		12/00	PASSAFARO ET AL.			
	6	1	7	4	3	1	3		1/01	BONUTTI			
	6	2	3	1	5	2	2		5/01	VOEGELE ET AL.			
	6	2	4	5	0	2	8		6/01	FURST ET AL.			
	6	2	5	4	5	5	3		7/01	LIDGREN ET AL.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER									COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO

OTHER DOCUMENTS

EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to the applicant.

Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**
(Use several sheets if necessary)

DOCKET NO D-3026 CON

APPLN. NO. 10/667,768

APPLICANT: Pflueger

FILING DATE: 9/22/03

GROUP ART: 3736

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE
	R	E	3	4	0	5	6	09/08/92	Lindgren et al.			
	3	4	7	7	4	2	3	11/11/69	Griffith			
		6	0	0	0	1	4	07/15/86	Beraha			
		6	9	9	1	5	4	10/13/87	Lindgren			
		9	5	8	6	2	5	09/25/90	Bates et al.			
	5	0	8	4	0	5	2	1/28/92	Jacobs			
	5	1	8	3	0	5	4	02/02/93	Burkholder et al.			
	5	2	3	4	0	0	0	08/10/93	Hakky et al.			
	5	4	2	3	7	9	9	6/13/95	Shiu			
	5	5	9	1	1	8	7	01/07/97	Dekel			

FOREIGN PATENT DOCUMENTS

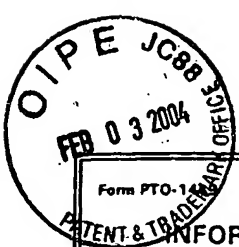
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO

OTHER DOCUMENTS

EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



Sheet 3 of 15

Form PTO-14

DOCKET NO: D-3026CON

APPLN. NO.: 10/667,768

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

APPLICANT: Pflueger

FILING DATE: 9/22/03

GROUP ART: 3736

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE
	4	2	1	0	0	2	9	7/80	PORTER			
	4	2	7	4	4	2	3	6/81	MIZUNO ET AL.			
	4	3	9	3	8	7	8	7/83	KAHN			
	4	6	4	9	9	1	9	3/87	THIMSEN ET AL.			
	4	7	2	2	3	4	8	2/88	LIGTENBERG ET AL.			
	4	8	4	4	0	6	4	7/89	THIMSEN ET AL.			
	4	8	7	8	8	9	8	11/89	GRIFFIN ET AL.			
	4	9	0	1	7	3	1	2/90	MILLAR			
	4	9	2	4	8	7	7	5/90	BROOKS			
	5	0	1	8	5	2	9	5/91	TENERZ ET AL.			
	5	0	6	7	4	9	1	11/91	TAYLOR II ET AL.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO

OTHER DOCUMENTS

EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to the applicant.

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

DOCKET NO: D-3026 CON

APPLN. NO.: 10/667,768

APPLICANT: Pflueger

FILING DATE: 9/22/03

GROUP ART: 3736

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE
	5	2	3	8	0	0	4	08/1993	Sahatjian et al.			
	5	3	2	7	9	0	5	07/1994	Avitall			
	5	5	7	1	1	4	7	11/1996	Sluijter et al.			
	5	6	1	9	9	9	3	04/1997	Lee			
	5	6	8	1	2	8	2	10/1997	Eggers et al.			
	5	7	2	2	4	0	1	03/1998	Pietroski et al.			
	5	8	2	6	5	7	6	10/1998	West			
	5	8	4	3	0	1	9	12/1998	Eggers et al.			
	5	9	0	8	4	4	6	06/1999	Imran			
	5	9	9	7	5	3	6	12/1999	Osswald et al.			
	6	0	0	7	5	7	0	12/1999	Sharkey et al.			
	6	0	4	5	5	3	2	04/2000	Eggers et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO

OTHER DOCUMENTS

EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to the applicant.

Form PT-49

PATENT & ...

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

DOCKET NO: D-3026CON

APPLN. NO.: 10/-667, 768

APPLICANT: Pfueger

FILING DATE: 9/22/03

GROUP ART: 3136

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	RULING DATE
	6	0	9	9	5	1	4	08/2000	Sharkey et al.			
	6	1	2	2	5	4	9	09/2000	Sharkey et al.			
	6	1	2	6	6	8	2	10/2000	Sharkey et al.			
	6	1	6	8	5	9	3	01/2001	Sharkey et al.			
	6	2	0	3	5	4	2	03/2001	Ellsberry et al.			
	6	2	7	3	8	6	1	08/2001	Bates et al.			
	5	4	3	3	7	3	9	07/1995	Sluijter et al.			
	5	7	8	5	7	0	5	07/1998	Baker			
	5	9	8	0	5	0	4	11/1999	Sharkey et al.			
	6	0	7	3	0	5	1	06/2000	Sharkey et al.			
	6	0	9	5	1	4	9	08/2000	Sharkey et al.			
	6	1	9	0	3	8	1	02/2001	Gisen et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO

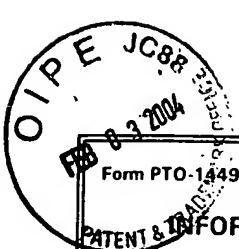
OTHER DOCUMENTS

		Sato et al., "In Vivo Intradiscal Pressure Measurement in Healthy Individuals and in Patients with Ongoing Back Problems", Dept. of Orthopaedic Surg., Fukushima Med. University, School of Medicine and the Dept. of Orthopaedic Surg., Osaka Med. College, Japan.

EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



Form PTO-1449

DOCKET NO: D-3026 CON

APPLN. NO.: 10/667,768

APPLICANT: Pflueger

FILING DATE: 9/22/03

GROUP ART: 3736

**PATENT & INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**
(Use several sheets if necessary)**U. S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	RULING DATE

FOREIGN PATENT DOCUMENTS

EXAMINE R INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS

Choy et al., "B. Fall of Intradiscal Pressure with Laser Ablation", J. Clin. Laser Med. & Surg., Vol. 13, No. 3, 1995, Mary Ann Liebert, Inc., pp. 149-151.

Case et al., "Change of intradisc pressure versus volume change", J. Clin. Laser Med. Surg., June 1995, Vol. 13(3), pp. 143-147.

Cripton et al., "A minimally disruptive technique for measuring intervertebral disc pressure in vitro: application to the cervical spine", J. Biomech., April 2001, Vol. 34(4), 545-549.

Wilke et al., "New in vivo measurements of pressures in the intervertebral disc in daily life", Spine, April 1999, Vol. 15:24(8), pp. 755-762.

McNally et al., "Development and validation of a new transducer for intradiscal pressure measurement", J. Biomed. Eng., Nov. 1992, Vol. 14(6), pp. 495-498.

Panjabi et al., "Intrinsic disc pressure as a measurement of integrity of the lumbar spine", Spine, Aug. 1988, Vol. 13(8), pp. 913-917.

"Predictive Pressure Controlled Discography", www.spinaldiagnostics.com/predpressure.htm, and www.spinaldiagnostics.com/predtables.htm.

Cripton et al., "A Novel Technique for Measuring in Vitro Pressure in Cervical Intervertebral Discs", Dept. of Mech. Eng., Queen's University, Kingston, Canada, and Müller Inst. for Biomech., University of Bern, Bern, Switzerland.

Steffen et al., "Multilocalized Intradiscal Pressure Measurements in the Cadaveric Lumbar Spine".

Gudavalli et al., "Funded Basic Sciences Research: What Happens During Distraction Manipulation? Disc Pressure Changes", National College of Chiropractic, Lombard, IL, and Loyala University Chicago, Maywood, IL, Abstract from the Proceedings of the International Society for the Study of the Lumbar Spine (Singapore, 1998)",

EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PATENT & TRADE

(Use several sheets if necessary)

D-3026 CON

Application Number: 10/667 768

Pflueger

9/22/03

3736

EXAMINER
INITIAL

DATE _____

NAME

CLASS

SUBCLASS

RULING DATE
IF APPROPRIATE

5	5	6	9	1	7	8
---	---	---	---	---	---	---

10/29/96

Henley

6	0	8	3	2	3	-
---	---	---	---	---	---	---

7/4/00

Huitema et al.

6	1	2	9	7	1	3
---	---	---	---	---	---	---

10/10/00

Mangosong et al.

DOCUMENT NUMBER

DATE _____

COUNTRY

CLASS

SUBCLASS

TRANSLATION

YES

NO

OTHER DOCUMENTS

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.